

IT IS HEREBY ADJUDGED
and DECREED this is SO
ORDERED.

The party obtaining this order is responsible for
noticing it pursuant to Local Rule 9022-1.

Dated: December 09, 2009



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Randolph J. Haines

RANDOLPH J. HAINES
U.S. Bankruptcy Judge

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09-23730/2000539712

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA

IN RE:

Thomas Walter Harrington and Natividad Diola
Harrington
Debtors.

Mortgage Electronic Registrations Systems, Inc. as
nominee for Saxon Mortgage Services, Inc., its
successors and/or assigns
Movant,
vs.

Thomas Walter Harrington and Natividad Diola
Harrington, Debtors; Maureen Gaughan, Trustee.
Respondents.

No. 0:09-bk-21571-RJH

Chapter 7

ORDER

(Related to Docket # 8)

This matter having come before the Court for a Preliminary Hearing on December 2, 2009,
Movant appearing by and through its attorney, Tiffany & Bosco, P.A., and good cause appearing,

1 **IT IS HEREBY ORDERED** that all stays and injunctions, including the automatic stays
2 imposed by U.S. Bankruptcy Code 362(a) are hereby terminated as to Movant with respect to that certain
3 real property which is subject of a Deed of Trust dated October 4, 2007 , in the office of the Los Angeles
4 County Recorder at wherein Mortgage Electronic Registrations Systems, Inc. as nominee for Saxon
5 Mortgage Services, Inc., its successors and/or assigns is the current beneficiary and Thomas Walter
6 Harrington and Natividad Diola Harrington have an interest in, further described as:

7 LOTS 254 AND 802 OF TRACT NO. 16878 AS PER MAP RECORDED IN BOOK 397
8 PAGES 36 TO 48 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF
9 SAID COUNTY. EXCEPT FROM THAT PORTION OF SAID LOT 254 WITHIN THE LINES OF
10 THE LAND DESCRIBED IN PARCEL NO. 8 OF THE DEED TO THE HOBART-WILLIAMS
11 CO., PARTNERSHIP, RECORDED DECEMBER 12, 1950 IN BOOK 35077 PAGE 273,
12 OFFICIAL RECORDS, AN UNDIVIDED ONE-HALF INTEREST IN ALL OIL, GAS AND/OR
13 MINERALS, IN AND UNDER SAID LAND, TOGETHER WITH THE RIGHT TO ENTER UPON
14 SAID LAND AND TAKE ALL THE USUAL NECESSARY OR CONVENIENT MEANS TO BORE
15 WELLS, MAKE EXCAVATIONS AND TO REMOVE SAID SUBSTANCES, AS RESERVED BY
16 BANK OF AMERICA, A CORPORATION, IN DEED RECORDED SEPTEMBER 16, 1937 IN
17 BOOK 15215 PAGE 262, OFFICIAL RECORDS, THE SURFACE RIGHTS TO SAID LAND FOR A
18 DISTANCE OF NOT MORE THAN 100 FEET IN DEPTH WAS QUIT CLAIMED BY THE
19 CAPITAL COMPANY, IN DEED RECORDED DECEMBER 12, 1950, IN BOOK 35077 PAGE 221,
20 OFFICIAL RECORDS. ALSO EXCEPT FROM THAT PORTION OF SAID LOT 254 WITHIN THE
21 LINES OF THE LAND DESCRIBED IN PARCEL 8 OF THE DEED TO THE HOBART-WILLIAMS
22 CO., RECORDED DECEMBER 12, 1950 IN BOOK 35077 PAGE 273, OFFICIAL RECORDS,
23 ALLOIL, GAS, GASOLINE, ASPHALTUM OR OTHER HYDROCARBON SUBSTANCES LYING
24 BELOW A DEPTH OF 100 FEET FROM THE SURFACE AS GRANTED TO THE CAPITAL
25 COMPANY, BY DEED RECORDED DECEMBER 12, 1950 IN BOOK 35078 PAGE 129, OFFICIAL
26 RECORDS.

ALSO EXCEPT FROM LOT 802, A 50% RIGHT, TITLE AND INTEREST IN AND TO ALL OIL,
NAPHTHA, GAS, PETROLEUM OR OTHER KINDRED SUBSTANCES, DEPOSITED IN, LYING
UNDER OR FLOWING THROUGH SAID LAND, AND ALL METALS OR MINERALS THEREIN
OR THEREON, AS RESERVED BY REUBEN FINGOLD AND DORRIS A. HIS WIFE, AND NANCY
W. OWENS, A WIDOW, IN THE DEED REGISTERED ON FEBRUARY 28, 1944 AS DOCUMENT
NO. 2861-

IT IS FURTHER ORDERED that this Order vacating the automatic stay imposed by U.S.
Bankruptcy Court Code 362(a) shall be binding and effective in the event the Debtors converts this case
to another chapter under the U.S. Bankruptcy Code.

DATED this ____ day of _____, 2009.

JUDGE OF THE U.S. BANKRUPTCY COURT